

### **REMARKS**

Claims 1-12 remain pending in the present application. Claim 1-11 have been amended Claim 12 is new. Basis for the amendments and new claims can be found throughout the specification, claims and drawings as originally filed.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 1, 3, 5, 7, 9, and 11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims have been amended to overcome the rejection. Regarding "The longer side wall surface", this is claimed in line 12 of page 13 (Claim 1). Regarding "the tubes" in Claim 11, Claim 1 recites "a plurality of metal tubes".

### **REJECTION UNDER 35 U.S.C. § 102**

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Osborn U.S. Patent No. 5,257,662.

Osborn illustrates reinforcements 40 which are on the longer side wall surface of the rectangular cross section when the cross section is taken in a direction on perpendicular to the longitudinal direction of the tubes. Claim 1, or the present invention now defines the rectangular cross section as being in a direction parallel with the longitudinal direction of the tubes. As shown in figure 2 of Osborn, when the cross section is taken parallel with the longitudinal direction of the tubes, reinforcements 40 are on the short side of the section and not on the long side as is now defined in amended Claim 1. Thus, applicant believes Claim 1, as amended patentably

distinguishes over the art of record. Likewise, Claims 3, 5, 7, 9 and 11 which ultimately depend from Claim 1 are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

### **REJOINED OF CLAIMS**

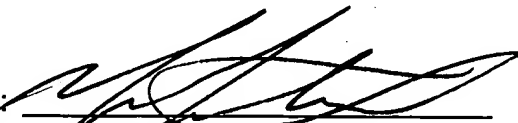
Claims 2 has been amended to depend from Claim 1. Thus, rejoined of Claims 2, 4, 6, 8, 10 and new Claim 12 is respectfully requested.

### **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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## **APPENDIX FOR AMENDMENTS TO SPECIFICATION**

The Abstract has been amended as follows:

A tapered section [(128a)] and a flange section which [(129a) constituting] constitute reinforcements are [respectively] provided [in] on mounting members [(128, 129)] to which a blower (fan shroud) is to be attached[.,]. The reinforcements are provided on the sides of the reinforcements which are [to be] in contact with a longer side wall surface [(120c)] of a rectangular tank. According to this structure, it is possible to prevent the longer side wall surface [(120c)] from deforming [being largely deformed], while mitigating the concentration of stress, [which is generated due to a car oscillation,] to the joint portions between the mounting members [(128, 129)] and the longer side wall surface [(120c)]. Therefore, the mechanical strength, reliability and durability of the header tank [(120)] [(especially, the longer side wall surface (120c))] can be improved without increasing the mass (weight) and production cost of the radiator [(100) caused by the excessive reinforcement, whereby the reliability and durability of the radiator (100) can be improved].